

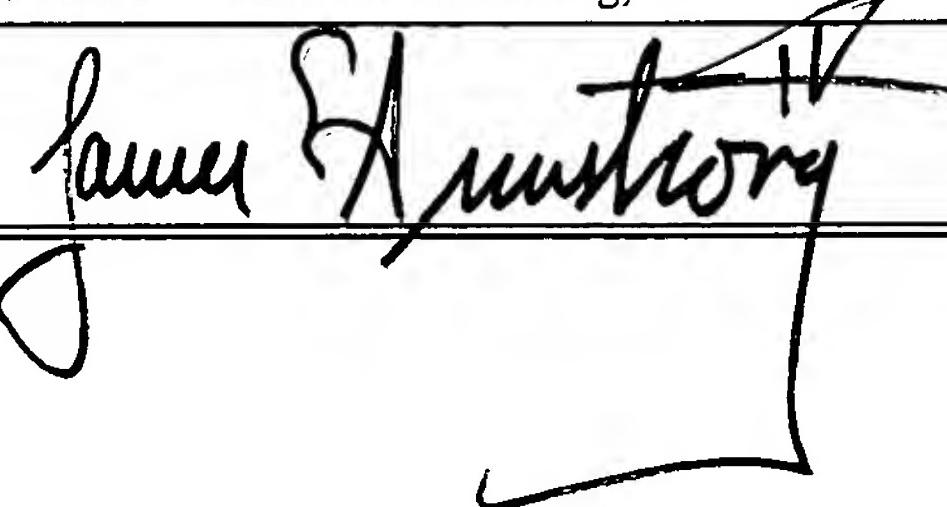
KFB3 REC'D/PUT/TD 27 JAN 2006

ATTORNEY'S DOCKET NO: 060076

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: January 27, 2006 . . .
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPN. NO. (if known) 10/566085
INTERNATIONAL APPLICATION NO.: PCT/JP04/10639	INTERNATIONAL FILING DATE: July 27, 2004	PRIORITY DATE CLAIMED: July 30, 2003
TITLE OF INVENTION: NOVEL LACTOBACILLUS, LIVING BODY ACTIVATING LACTOBACILLUS PREPARATION AND PREVENTIVE OR THERAPEUTIC AGENT FOR LIVING BODY INFECTION		
APPLICANT(S) FOR DO/EO/US: Tadayo HATA, Hitoshi TOSHIMORI and Toshiyuki MARUOKA		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the time limit set in 35 USC 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): <ul style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) </p> <p>6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
ITEMS 11. TO 16. BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98 together with PTO-1449, 13 references and International Search Report.</p> <p>12. <input checked="" type="checkbox"/> <ul style="list-style-type: none"> a. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input checked="" type="checkbox"/> b. ASSIGNEE(s) NAME(s) AND ADDRESS <u>BPH COMPANY LIMITED, Nassau, Commonwealth of The Bahamas</u> Please publish the assignee data with the application. </p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information: 5 Sheets of Drawings.</p>		

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<p>17. <input checked="" type="checkbox"/> The following fees are submitted:</p> <table border="1"> <tr> <td>Basic National Fee (37 CFR 1.492(a)(1)-(5):</td> <td>\$300.00</td> <td>\$ 300.00</td> <td rowspan="6"></td> </tr> <tr> <td>Search Fee - all other situations</td> <td>\$500.00</td> <td></td> </tr> <tr> <td>National Stage Search Fee - U.S. was the ISA.</td> <td>\$100.00</td> <td></td> </tr> <tr> <td>National Stage Search Fee - search report prepared and provided to USPTO.</td> <td>\$400.00</td> <td>\$ 400.00</td> </tr> <tr> <td>Examination Fee - all other situations</td> <td>\$200.00</td> <td>\$ 200.00</td> </tr> <tr> <td>National Stage Examination Fee - U.S. was IPEA and, all claims satisfy PCT Article 33(1)-(4).</td> <td>\$100.00</td> <td></td> </tr> <tr> <td align="right">ENTER APPROPRIATE BASIC FEE AMOUNT =</td> <td align="right">\$ 900.00</td> <td></td> </tr> </table>				Basic National Fee (37 CFR 1.492(a)(1)-(5):	\$300.00	\$ 300.00		Search Fee - all other situations	\$500.00		National Stage Search Fee - U.S. was the ISA.	\$100.00		National Stage Search Fee - search report prepared and provided to USPTO.	\$400.00	\$ 400.00	Examination Fee - all other situations	\$200.00	\$ 200.00	National Stage Examination Fee - U.S. was IPEA and, all claims satisfy PCT Article 33(1)-(4).	\$100.00		ENTER APPROPRIATE BASIC FEE AMOUNT =	\$ 900.00																																			
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<p><input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). the fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.</p> <table border="1"> <thead> <tr> <th>Total Sheets</th> <th>Extra sheets</th> <th>Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>153 -100 =</td> <td>53 / 50 =</td> <td>2</td> <td>x \$250.00</td> </tr> <tr> <td colspan="3"></td> <td align="right">\$ 500.00</td> </tr> </tbody> </table>				Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	153 -100 =	53 / 50 =	2	x \$250.00				\$ 500.00																																												
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U.S. APPLICATION NO. (if known) 107566085	INTERNATIONAL APPLICATION NO. PCT/JP04/10639	DATE: January 27, 2006
<p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$740.00</u> to cover the above fees is enclosed. (\$150.00 for basic fee, \$200.00 for search fee, \$100.00 for examination fee, \$250.00 for application size fee and \$40.00 for assignment.) (This paper is filed in triplicate)</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 01-2340 in the amount of \$ <u> </u> to cover the above fees. (A duplicate copy of this sheet is enclosed.)</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2340.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.</p>		

Send All Correspondence To: Armstrong, Kratz, Quintos, Hanson & Brooks, LLP Suite 1000, 1725 K Street, N.W. Washington, D. C. 20006 Tel: (202) 659-2930 Fax: (202) 887-0357	 23850 PATENT TRADEMARK OFFICE
Typed or Printed Name  JAM/jaz	Reg. No. 42,266
Signature	Date: January 27, 2006